

## PUBLIC HEARING

The **LOUDOUN COUNTY PLANNING COMMISSION** will hold a public hearing in the Board of Supervisors' Meeting Room, County Government Center, 1 Harrison Street, S.E., Leesburg, VA, on **THURSDAY, JANUARY 28, 2010, at 6:00 p.m.** to consider the following:

### **CPAM 2009-0002** **CHESAPEAKE BAY PRESERVATION ACT POLICIES** *(Comprehensive Plan Amendment)*

Pursuant to Sections 10.1-2100 *et seq.*, 15.2-2225, and 15.2-2229 of the Code of Virginia, 9VAC10-20-10 *et seq.*, and a Resolution of Intent to Amend adopted by the Board of Supervisors on December 15, 2009, the Loudoun County Planning Commission hereby gives notice of a Comprehensive Plan Amendment (CPAM) to amend the Loudoun County General Plan (revised July 23, 2001, as amended) (Revised General Plan) and the Loudoun County Countywide Transportation Plan (revised July 23, 2001, as amended) (Revised CTP) by revising, adding, or deleting certain countywide policies regarding the protection of the quality of state waters in order to implement and employ portions of the Chesapeake Bay Preservation Area Designation and Management Regulations, and other criteria, promulgated pursuant to the Chesapeake Bay Preservation Act. Proposed amendments to the Revised General Plan include, without limitation, the following:

- Chapter 2, *Planning Approach*, revising existing and adding new policies in regard to General Water and Wastewater, Solid Waste Management, and Energy and Communication;
- Chapter 5, *The Green Infrastructure: Environmental, Natural, and Heritage Resources*, revising existing and adding new policies in regard to The Built Environment, Natural Resource Assets, River and Stream Corridors, Scenic Rivers and Potomac River, Surface and Groundwater Resources, Steep Slopes and Moderately Steep Slopes, Forests Trees and Vegetation, Plant and Wildlife Habitats, Open Space Assets, Greenways and Trails, and Air Quality, revising the existing Green Infrastructure Map, and establishing a new Chesapeake Bay Preservation Area Map;
- Chapter 6, *Suburban Policy Area*, revising existing and adding new policies in regard to Open Space, Residential Neighborhoods, Transit-Oriented Development, Transit-Related Employment Center, Parking, and Suburban Parking;
- Chapter 7, *Rural Policy Area*, revising existing and adding new policies in regard to Land Use Pattern and Design Strategy, Rural Residential, Green Infrastructure, and Water and Wastewater;
- Chapter 8, *Transition Policy Area*, revising existing and adding new policies in regard to Lower Sycolin and Middle Goose Subareas and Community Design Policies;
- Chapter 9, *The Towns*, revising existing and adding new policies in regard to Leesburg Joint Land Management Area;
- Chapter 11, *Implementation*, revising existing and adding new policies in regard to Open Space and Transit Nodes;
- *Glossary*, revising existing and adding new definitions for Chesapeake Bay Preservation Area, Connected Wetlands, Invasive Alien Plants, Resource Management Area, Resource Protection Area, Riparian Areas, Streams, Perennial Stream, Intermittent Stream, Wetlands, and Ordinary High Water Mark, and deleting existing definitions for Riparian, Riparian Forest, Stream Buffer, and Stream Corridors;
- All Chapters, deleting all existing references to the River and Stream Corridor Overlay District (RSCOD); and
- Revising existing and adding new policies to such other sections of the Revised General Plan as necessary to implement and maintain consistency with the proposed amendments and achieve the intent of the Board of Supervisors' adopted Resolution of Intent to Amend.

Proposed amendments to the Revised CTP include, without limitation, the following:

- Chapter 3, *County Road Networks*, revising existing and adding new policies in regard to Design and Construction Standards;
- Chapter 4, *Planning Coordination*, revising existing and adding new policies in regard to Green Infrastructure Protection and Water Quality;
- *Glossary*, adding new definitions for Resource Protection Area and Ordinary High Water Mark; and
- Revising existing and adding new policies to such other sections of the Revised CTP as necessary to implement and maintain consistency with the proposed amendments and achieve the intent of the Board of Supervisors' adopted Resolution of Intent to Amend.

*Full and complete copies of the above referenced proposed Plan amendments may be examined in the Department of Planning, County Government Center, 3<sup>rd</sup> Floor, 1 Harrison Street., S.E., Leesburg, Virginia from 9:00 a.m. to 4:30 p.m., Monday through Friday, or call 703-777-0246.*

**ZOAM 2009-0004**  
**AMENDMENTS TO THE REVISED 1993 LOUDOUN COUNTY ZONING**  
**ORDINANCE NECESSARY TO IMPLEMENT CHESAPEAKE BAY**  
**PRESERVATION ORDINANCE**  
*(Zoning Ordinance Amendment)*

Pursuant to Sections 10.1-2100 *et seq.*, 15.2-2204, 15.2-2283, 15.2-2285, and 15.2-2286 of the Code of Virginia, 9VAC10-20-10 *et seq.*, and a Resolution of Intent to Amend adopted by the Board of Supervisors on December 15, 2009, the Loudoun County Planning Commission hereby gives notice of proposed amendments to the text of the Revised 1993 Loudoun County Zoning Ordinance, for the purpose of implementing proposed policies to be set forth in the Loudoun County General Plan (revised July 23, 2001, as amended) (Comprehensive Plan) (proposed CPAM 2009-0002) and proposed standards to be set forth in a Chesapeake Bay Preservation Ordinance (CBPO), proposed to be included as a new Chapter within the Codified Ordinances of Loudoun County, regarding the protection of the quality of state waters. The proposed text amendments to the Zoning Ordinance are necessary to implement and employ portions of the Chesapeake Bay Preservation Area Designation and Management Regulations, and other criteria, promulgated pursuant to the Chesapeake Bay Preservation Act, and include, without limitation, the following:

- 1) Section 1-103(K), *Conflicting Provisions*, revising existing text to incorporate a reference to the CBPO;
- 2) Section 1-205, *Limitations and Methods for Measurements of Lots, Yards and Related Terms*, adding new Section 1-205(M) to establish new lot requirements for lots affected by the Resource Protection Area of the CBPO under certain circumstances;
- 3) Section 4-1504, *Administration*, adding new Section 4-1504(C) to the Floodplain Overlay District (FOD) regulations to address conflicting provisions with the CBPO;
- 4) Section 4-1511, *Density Calculations*, revising the FOD regulations to permit land area in any portion of the FOD to be included for purposes of calculating permitted density;
- 5) Section 5-1000, *Scenic Creek Valley Buffer*, adding new Section 5-1006 to address conflicting provisions with the CBPO;
- 6) Section 6-900, *Additional County, State and Federal Approvals Required for Development*, adding a reference to approvals that may be required by the CBPO in regard to conflicting provisions;

- 7) Section 6-1001(F), *Application for Zoning Permit*, adding a reference to the CBPO and deleting an existing reference to the River and Stream Corridor Overlay District (RSCOD) in regard to Locational Clearance requirements;
- 8) Article VIII, *Definitions*, revising existing definitions for “Lot Area,” “Yard, Front,” “Yard, Rear,” “Yard Required,” and “Yard, Side” for purposes of administering the requirements of the proposed CBPO, and deleting existing definitions for “Management Buffer,” “Minimum Stream Buffer,” and “Protected Corridor,” which were in regard to RSCOD; and
- 9) Revising existing and adding new text to such other sections of the Revised 1993 Zoning Ordinance as necessary to implement and maintain consistency with the proposed amendments and achieve the intent of the Board of Supervisors’ adopted Resolution of Intent to Amend.

The public purposes of these amendments are to achieve the purposes of zoning as set forth in Sections 15.2-2200 and 15.2-2283 of the Code of Virginia, including, without limitation, furtherance of the public necessity, convenience, and general welfare, good zoning practice, protection of the natural environment and quality of state waters, and facilitating the creation of a convenient, attractive, and harmonious community.

### **DOAM 2009-0004**

## **AMENDMENTS TO THE FACILITIES STANDARDS MANUAL NECESSARY TO IMPLEMENT CHESAPEAKE BAY PRESERVATION ORDINANCE**

*(Development Ordinance Amendment)*

Pursuant to Sections 10.1-2100 *et seq.*, 15.2-2204, and 15.2-2253 of the Code of Virginia, 9VAC10-20-10 *et seq.*, and a Resolution of Intent to Amend adopted by the Board of Supervisors on December 15, 2009, the Loudoun County Planning Commission hereby gives notice of proposed amendments to Chapters 7 and 8 of the Facilities Standards Manual (FSM) and such other sections of the FSM as necessary to implement and maintain consistency with the proposed amendments and achieve the intent of the Board of Supervisors’ adopted Resolution of Intent to Amend, for the purpose of implementing proposed policies to be set forth in the Loudoun County General Plan (revised July 23, 2001, as amended) (Comprehensive Plan) (proposed CPAM 2009-0002) and proposed standards to be set forth in a Chesapeake Bay Preservation Ordinance (CBPO), proposed to be included as a new Chapter within the Codified Ordinances of Loudoun County, regarding the protection of the quality of state waters. The proposed amendments to the FSM are necessary to implement and employ portions of the Chesapeake Bay Preservation Area Designation and Management Regulations, and other criteria, promulgated pursuant to the Chesapeake Bay Preservation Act, and would revise existing and establish new design and construction standards to be applicable within the Chesapeake Bay Preservation Area.

Amendments to Chapter 7 of the FSM include, without limitation, the following:

- Deleting existing standards in regard to Establishment of Riparian Stream Buffers and revising existing and establishing new standards in regard to Resource Protection Area Planting Plan Requirements, to include, without limitation, Plant Materials, Planting Density Requirements, Site Preparation, Site Stabilization, Release/Maintenance, Wildlife Damage, and Stocking Requirements;
- Revising existing Tables regarding recommended plant species;
- Establishing new Resource Protection Area Delineation Requirements, to include, without limitation, Perennial Flow Determination, Wetland Delineation, Buffer Area Boundary Delineation, and submission requirements, and revising existing Wetland Requirements;
- Establishing new Minor and Major Water Quality Impact Assessment Requirements; and
- Revising Environmental and Cultural Resource Existing Conditions Plat requirements to include depiction of the boundaries of the Resource Protection Area.

Amendments to Chapter 8 of the FSM include, without limitation, the following:

- Establishing new requirements for data to be contained on, and documents and items to accompany, certain land development application types, to include, without limitation, Preliminary Plat of Subdivision, Plats for Subdivision and Other Miscellaneous Plats, Boundary Line Adjustment, Family Subdivision, Subdivision Waiver/Low Density Waiver, AR-1 and AR-2 Division Plats, Construction Plans and Profiles, Site Plans, Plat and Plan Revisions, and Grading Permits Application;
- Revising Bonding Policies to authorize the County to require performance bonds for planting plans to be required by the proposed CBPO; and
- Establish new Bond Release Procedures in regard to notice to the Director required for planting plans.

The public purposes of these amendments are to achieve the purposes listed in Section 15.2-2200 of the Code of Virginia, to protect the quality of state waters, and to assure the orderly subdivision of land and its development.

*Except as noted in the individual notices above, full and complete copies of the above-referenced amendments, applications, ordinances and/or plans, and related documents may be examined in hard copy at the Loudoun County Department of Building and Development, County Government Center, 1 Harrison Street, S.E., 2<sup>nd</sup> Floor, Leesburg, Virginia, from 9:00 AM to 4:30 PM, Monday through Friday or call 703-777-0397, or electronically at [www.loudoun.gov/lola](http://www.loudoun.gov/lola). This link also provides an additional opportunity for public input on active applications. Additionally, documents may be viewed and downloaded electronically the week before the hearing at [www.loudoun.gov/pc](http://www.loudoun.gov/pc). The Planning Commission will conduct a briefing session on the above-referenced application(s); please see the Planning Commission calendar for the exact date and time. For further information, contact the Department of Planning at 703-777-0246.*

*Citizens are encouraged to call in advance to sign up to speak at the public hearing. If you wish to sign up in advance of the hearing, please call the Department of Planning at 703-777-0246 prior to 12:00 PM on the day of the public hearing. Speakers may also sign up at the hearing. Written comments are welcomed at any time and may be sent to the Loudoun County Planning Commission, 1 Harrison Street, S.E., 3<sup>rd</sup> Floor, MSC #62, Leesburg, Virginia 20175, or by e-mail to [loudounpc@loudoun.gov](mailto:loudounpc@loudoun.gov). If written comments are presented at the hearing, please provide ten (10) copies for distribution to the Commission and the Clerk's records. All members of the public will be heard as to their views pertinent to these matters. Any individual representing and/or proposing to be the sole speaker on behalf of a citizen's organization or civic association is encouraged to contact the Department of Planning prior to the date of the public hearing if special arrangements for additional speaking time and/or audio-visual equipment will be requested. Such an organization representative will be allotted 6 minutes to speak, and the Chairman may grant additional time if the request is made prior to the date of the hearing and the need for additional time is reasonably justified.*

*Citizens are encouraged to call the Department of Planning on the day of the public hearing to confirm that an item is on the agenda, or, the most current agenda may be viewed on the Planning Commission's website at [www.loudoun.gov/pc](http://www.loudoun.gov/pc).*

*Hearing assistance is available for meetings in the Board of Supervisors' Meeting Room. FM Assistive Listening System is available at the meetings at all other locations. If you require any type of reasonable accommodation as a result of a physical, sensory or mental disability to participate in this meeting, contact the Department of Planning at 703-777-0246. Please provide three days' notice.*

Peggy Maio, Chairman